

STATEMENT OF LICENSING POLICY CONSULTATION

Committee name	Licensing Committee
Officer reporting	Daniel Ferrer, Licensing Manager
Papers with report	Overview of proposed policy changes - Appendix A Draft Statement of Gambling Policy - Appendix B
Ward	All

HEADLINES

This report is to consult with and invite comments from the Committee on the updated draft Statement of Licensing Policy.

This Policy is deemed as 'Policy Framework' under the Council's constitution and so requires full approval by full Council.

RECOMMENDATION:

That the Committee considers the revisions to the Statement of Licensing Policy and offers comments to be considered by Cabinet at the end of the consultation period.

SUPPORTING INFORMATION

The Council is required to review its Statement of Licensing Policy at regular intervals to ensure it is carrying out licensing functions in accordance with current legislation. During this review, consideration has been given to how changes might improve the way in which services are being delivered, to make them more efficient and customer friendly.

A draft Policy has been produced which now needs to be consulted upon, prior to final consideration by Cabinet or adoption by full Council. An overview document listing the proposed changes is attached at Appendix A. The draft policy can be found at Appendix B. An Equalities Impact Assessment will also be undertaken.

The Licensing Act 2003 regulates sales of alcohol, regulated entertainment and late-night refreshment. The Council is required by Section 5 of the Licensing Act 2003 to review the Statement of Licensing Policy every five years. Hillingdon's current policy was adopted by Full Council in January 2021 and is therefore due for review, and subsequent approval by January 2026, before it expires.

In the intervening time, there have been only minor changes to legislation and guidance and, as such, there are very few changes proposed to this policy. The changes proposed in the revised policy are mainly administrative and to aid clarity. No substantive change of Council policy is

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proposed. Where changes are required to reflect changes to the relevant legislation and guidance, these have been incorporated into the revised policy. The proposed changes are listed in Appendix A and within the updated Policy in Appendix B in track changes, but in summary they relate to:

- Amendments to relevant dates, Team names and original typographical errors and statistics.
- New paragraphs and sections added, such as Environmental Best Practice, Agent of Change Principle, Counter Terrorism, Spiking, 'Ask For Angela' and Pavement Licensing.
- Further details and clarity being provided in existing sections relating to Integration with other Strategies, Representations, Planning, Remote & Internet sales and Protection of Children from Harm.
- Amendments and updates to legislation, technical standards and examples of measures detailed in Appendices.

The proposed timetable for policy implementation is set out below:

18 th September 2025	Draft Policy to Cabinet for consultation
22 nd September 2025	Consultation period started
October 2025 (TBC)	Residents' Services Select Committee
8 th October 2025	Licensing Committee
3 rd November 2025	Consultation period ended
18 th December 2025	Final draft policy to Cabinet post-consultation to recommend
22 nd January 2026	Statement of Licensing Policy considered and, if agreed, adopted at Full Council, subject to Cabinet recommendation

Implications on related Council policies

A role of the Committee is to make recommendations on service changes and improvements to the Cabinet who are responsible for the Council's policy and direction.

The proposed Statement of Licensing Policy is a policy framework document under the Council's Constitution. As such, Cabinet is required to approve them in draft form with a timetable to include a period of formal consultation (minimum 6 weeks), to include the Licensing Committee and the Residents' Services Select Committee. Cabinet will then consider the responses of the consultation before deciding whether or not to recommend them to full Council for adoption.

RESIDENT BENEFIT

The regular review and adoption of the Statement of Licensing Policy ensures that the licensing

framework are up to date and effective in ensuring a safe and regulated environment for users of licensed premises. It will also ensure that there are methods for robust enforcement and review of problem licensed premises.

FINANCIAL IMPLICATIONS

It is important that the Committee considers cost effective proposals that benefit resident taxpayers in relation to this review, which would ultimately be determined by Cabinet as part of the Council's broader budget planning process.

Corporate Finance has reviewed the report and confirms that there are no direct financial implications associated with the recommendations in this report.

LEGAL IMPLICATIONS

Legal Services confirm that the main points from the relevant legal framework are already included in the body of the report. Section 5 of the Licensing Act 2003 requires the Council to determine its policy with respect to the exercise of its licensing functions and publish a statement of that policy every 5 years.

Section 5 also outlines the requirement to consult before determining its policy for a 5-year period, listing mandatory consultees. In addition to these statutory requirements, the consultation must fulfil established public law principles on consultation, namely fairness and adequacy, which are mainly defined by the 4 *Gunning* principles:

- (a) Consultations must occur while proposals are still at a formative stage
- (b) Sufficient information needs to be supplied to consultees to give the consultation 'intelligent consideration'
- (c) There needs to be an adequate time for the consultees to consider the proposal and respond
- (d) Conscientious consideration must be given to the consultation responses before decisions are made

The Council must also be mindful of its public sector equality duty under section 149 of the Equality Act 2010. To this end, this report states that an equalities impact assessment will be carried out. Furthermore, there is reference within the draft statement of policy itself (at Appendix B) to the public sector equality duty.

Following the consultation, there will be a further Cabinet report submitted. More legal comments will be provided at that stage with reference to the outcome of the consultation and the recommended action arising therefrom.

BACKGROUND PAPERS

Current Statement of Licensing Policy:

<https://www.hillingdon.gov.uk/alcohol-premises-licence>

Revised Section 182 of the Licensing Act 2003 (February 2025):

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003/revised-guidance-issued-under-section-182-of-the-licensing-act-2003-december-2023-accessible-version>

Fact and Statistics about Hillingdon:

[Facts and statistics about the borough of Hillingdon - Hillingdon Council](#)

Hillingdon Population stats from Total population, January 2025:

[Hillingdon Population \(2025\) - Total Population](#)

Case study from Manchester relating to use of licensing conditions (Counter Terrorism, April 2023):

<https://www.local.gov.uk/case-studies/manchester-city-council-security-and-licensing>

Home Office Guidance, Spiking Fact Sheet (December 2023):

<https://www.gov.uk/government/publications/spiking-factsheet/spiking-factsheet>

Metropolitan Police Website information – ‘Ask For Angela’:

<https://www.met.police.uk/police-forces/metropolitan-police/areas/about-us/about-the-met/campaigns/ask-for-angela/>

Safer Sounds Partnership – Welfare & Vulnerability Engagement information:

<https://www.saferounds.org.uk/a4a-resources>

APPENDICES

- An overview document detailing the proposed changes is attached at **Appendix A**.
- The draft Statement of Gambling Policy attached at **Appendix B**

APPENDIX A - OVERVIEW OF PROPOSED POLICY CHANGES

Draft Statement of Licensing Policy

The Council is required by the Licensing Act 2003 to review the Statement of Licensing Policy every five years. The current policy was last formally reviewed in January 2021 and therefore requires updating and adopting in January 2026.

In the intervening time, there have been only minor changes to legislation and as such there are very few changes proposed to this policy.

The current policy works well and acts as a valuable framework for ensuring the principles of the legislation are upheld.

Policy amendments are shown at Appendix B (the draft revised policy) in **bold**, underlined and ~~strikethrough~~ text.

- Front page – Effective dates amended.
- Front page, point 5, “and avoidance of duplication” deleted to shorten.
- Front page, point 6, capital “I” for “initiatives”.
- Pages 1 & 2 – Content pages updated and renumbered.
- New para 1.1 added providing some facts and statistics about Hillingdon.
- Para 1.4, updated to read “900” premises authorisations and “5200” personal licences.
- Para 2.2, updated so that the Licensing Act 2003 will be referred to as “the 2003 Act” and the Authority to be referred to as “The Licensing Authority”. This has been amended throughout the whole draft Policy to provide consistency.
- Para 2.4, amended date of updated guidance to read, “27th February 2025”.
- List at para 3.1 – Environmental Protection Team added and Home Office put on last bullet point to correct original list
- Title of section 5.0, shortened to now read “Integration of Strategies”.
- New para 5.2 to provide more details regarding integration with other strategies
- New para 5.7, further details and clarity on Planning matters.
- New para 5.8 added regarding the ‘Agent of Change’ principle.
- New section 7 and para 7.1 detailing Environmental Best Practice.
- New para 9.5 added regarding Immigration and entitlement to work.
- New Counter Terrorism section added at new section 11 following Martyn’s Law.
- New para 12.14 added regarding Spiking.
- New para 12.15 added regarding “Ask For Angela” initiative
- Para 13.3 included to make reference to Appendix C – measures for Public Safety
- Para’s 14.2 & 14.4 amended for grammar.
- New para 15.1 added detailing types of harm to children.
- New para 15.2 added detailing measures for addressing protection of children from harm.
- New para 15.3 added to include recommended initiatives regarding children.

- Amended para 15.7 updated in relation to adult entertainment in licenced premises.
- Para 15.14 amended for grammar
- New para 15.17 added regarding collaboration with partners.
- New para 18.8 added in relation to “off” sales and pavement licences.
- Para 19.10 amended to provide clarity on representations.
- New para 19.13 added to clarify position for borderline representations.
- Para 26.1 – further detail regarding Internet & Remote sales to specify location and dispatch.
- Para 26.2 – amended to provide example of measures regarding Internet & Remote sales.
- Para 26.3 – amended to highlight robust age verification checks and staff training for Internet & Remote sales.
- New para 26.4 added to take into consideration applicants who use third party vendors such as Uber Eats, Deliveroo.
- Appendix A – Amended heading to read Table of ‘Delegations’.
- Appendix C – Out of date technical standards deleted and alternatives added.
- Appendix D – Publications list updated.
- Appendix E – “Limitations” replaced with “Restrictions” in line with Government guidance.
- Appendix F – Contact details for Responsible Authorities updated.
- Appendix H added showing a plan of the Borough and the make-up of Wards.

Page, paragraph numbers and formatting will be updated on the final policy document.